



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial #: 09/444,739  
Applicant: Michael G. Mikurak  
Filed: November 22, 1999  
Title: TECHNOLOGY SHARING DURING DEMAND AND SUPPLY PLANNING IN A  
NETWORK-BASED SUPPLY CHAIN ENVIRONMENT

TC/AU: 3623  
Examiner: M. Irshadullah  
Docket #: 060021-335501

**CERTIFICATE OF MAILING**

I hereby certify under 37 CFR § 1.8 that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450 on October 15, 2004.

  
Pamela J. Pederson

**DECLARATION OF MICHAEL G. MIKURAK**

I, MICHAEL G. MIKURAK, hereby declare that:

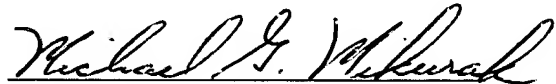
1. I am the inventor of the invention claimed in U.S. Patent Application Serial No. 09/444,739, originally titled "A System, Method, and Article of Manufacture for Technology Sharing During Demand and Supply Planning in a Network-Based Supply Chain Environment".
2. I was a partner at Accenture (formerly Andersen Consulting) from approximately July 1996 until July 2003, at which point I retired.
3. During my tenure at Accenture, I was part of the Supply Chain Management group, developing solutions for numerous global clients. During my work with Bob Evans, another Accenture partner, for AT&T Wireless from 1997-98, I first began developing the ideas that would become the claimed invention.
4. Following the success realized during the AT&T Wireless project, in August of 1999 I began to consider integrating the collaborative planning tool. At the Accenture partners' meeting in September 1999, I had further discussions with partners Bill Capcino, Dave Anderson, Karl Newkirk, and Dave Rich, among others, which culminated in refining the ideas derived from my AT&T Wireless experience to result in the presently claimed invention.

5. Approximately two or three days following the discussions at the partners' meeting, I met with L. Keith Stephens, a patent attorney, suggested by Karl Newkirk, to draft the application and supporting documents. The drafting process lasted from September 1999 until the date of filing, November 22, 1999. During this time, I reviewed and commented on about five to six drafts of the application.
6. While documents were created that reflected the development of this invention during the AT&T Wireless project, these documents were not kept by Accenture when Accenture's role at AT&T ended. This is the common business practice in the industry.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: October 7, 2004

Signature:



Michael G. Mikurak  
6118 Kipps Colony Drive West  
Gulfport, FL 33707  
Telephone: (727) 344-6699



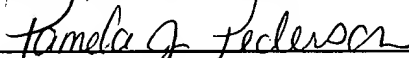
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Pamela J. Pederson

**DECLARATION OF STEVEN LIESKE**

I, STEVEN LIESKE, hereby declare that:

1. I am an attorney currently responsible for the prosecution of the invention claimed in U.S. Patent No. 09/444,739, originally titled "A System, Method, and Article of Manufacture for Technology Sharing During Demand and Supply Planning in a Network-Based Supply Chain Environment". My Registration Number is 47,749.
2. I am a senior associate with the firm Oppenheimer Wolff & Donnelly, LLP (hereinafter "Oppenheimer"). I joined the firm in June 2000.
3. As evidenced in the papers of this application, this application was originally filed November 22, 1999 by L. Keith Stephens, Registration Number 32,632.
4. The firm of which Keith Stephens was a partner, Hickman Stephens Coleman & Hughes LLP (hereinafter "Hickman Stephens") later merged with Oppenheimer on or about January 1, 2001.
5. During the integration of Hickman Stephens with Oppenheimer, historical draft copies of Accenture applications were not transferred to the Oppenheimer computerized document system. Only the final versions were transferred. Only the

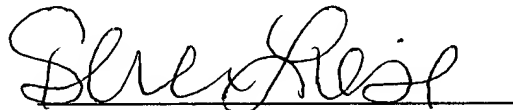
final version of the above-referenced application, filed November 22, 1999, was transferred.

6. On March 3, 2001, about three months after the Hickman Stephens-Oppenheimer merger, Keith Stephens was killed in an aviation accident. A copy of the NTSB report is attached as Exhibit A. A copy of a news article regarding the crash is attached as Exhibit B.
7. On or about May 2001, Marc Browne and Daphne Burton became the project leaders for the Accenture patent prosecution work. I became a member of their team, however I was never placed in charge of the specific project to which the above-referenced application is assigned, Project 1045. According to internal Oppenheimer records, the first document I authored relating to the above-referenced application is dated August 2004.
8. On or before April 26, 2002, Marc Brown and Daphne Burton left Oppenheimer to work for a competing law firm in Los Angeles. Neither I nor Oppenheimer has had any continuing contact with either individual since shortly after their departure.
9. Apart from the information regarding the invention obtained from the inventor, Michael G. Mikurak, who is no longer associated with Accenture, Oppenheimer's files have no other specific information regarding the prosecution and drafting of the above-referenced application prior to its filing November 22, 1999.

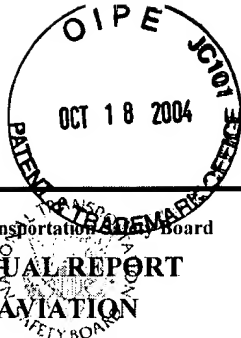
I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: October 15, 2004

Signature: \_\_\_\_\_




Steven Lieske  
Oppenheimer Wolff & Donnelly, LLP  
Plaza VII, Suite 3300  
45 South Seventh Street  
Minneapolis, Minnesota 55402  
Telephone: (612) 607-7508



This space for binding



<b>National Transportation Safety Board</b> <b>FACTUAL REPORT</b> <b>AVIATION</b>	NTSB ID: MIA01LA089		Aircraft Registration Number: N911PL	
	Occurrence Date: 03/03/2001		Most Critical Injury: Fatal	
	Occurrence Type: Accident		Investigated By: NTSB	
<b>Location/Time</b>				
Nearest City/Place Gulfport	State MS	Zip Code 39501	Local Time 1422	Time Zone CST
Airport Proximity: Off Airport/Airstrip		Distance From Landing Facility:		Direction From Airport:
<b>Aircraft Information Summary</b>				
Aircraft Manufacturer Piper		Model/Series PA-32RT-300T		Type of Aircraft Airplane
Sightseeing Flight: No      Air Medical Transport Flight: No				
<b>Narrative</b>				
<p>Brief narrative statement of facts, conditions and circumstances pertinent to the accident/incident:</p> <p><b>HISTORY OF FLIGHT</b></p> <p>On March 3, 2001, about 1422 central standard time, a Piper PA-32RT-300T, N911PL, registered to S. and E. Aviation, Inc., operating as a Title 14 CFR Part 91 personal flight, crashed offshore near Gulfport, Mississippi. Instrument meteorological conditions prevailed, and a visual flight rules, (VFR) flight plan had been filed. The airplane was destroyed and the private-rated pilot, the sole occupant, is presumed to have received fatal injuries. The flight departed Tampa International Airport, Tampa, Florida, for Beaumont/Port Arthur, Texas, about 1208 eastern standard time.</p> <p>According to a transcript of a telephone conversation that occurred between 1002 and 1017 on March 3, 2001, between the St. Petersburg, Florida, FAA Automated Flight Service Station, (AFSS), and a person representing N911PL, the call was made to file a VFR flight plan and obtain a briefing on the en route and destination conditions and weather from Tampa to Beaumont, via Tallahassee, Mobile, and New Orleans, departing about noon with an en route flight time of about 3 hours 30 minutes. After the flight plan data was given to the AFSS, the briefer provided a briefing which dealt with the existing convective activity and frontal position, including current severe thunderstorm watches, convective SIGMETs, (a weather advisory issued concerning weather significant to the safety of all aircraft) and current weather radar identified thunderstorms. These thunderstorms existed in lines and clusters from the Florida panhandle, across the Mobile area, north of Gulfport, to New Orleans. The route of flight provided by N911PL would have precluded a safe flight, and the briefer recommends, "...you wanna stay over the water as much as possible to avoid most of this." The briefer mentioned AIRMET Tango for potential turbulence and AIRMET Zulu for icing conditions, but failed to provide AIRMET Sierra for extensive IFR conditions. The AFSS briefer is quoted stating that Beaumont will be no better than 300 to 400 overcast until about 2000 local Beaumont time. The flight departed TPA at 1208, and would have arrived at 1438 local Beaumont time, according to the aforementioned 3 hours 30 minutes en route time. Nowhere in the transcript does the pilot or the briefer state that VFR flight may not be recommended because of expected IFR conditions at destination on arrival, even discounting the proximity to known intense convective activity. The transcript is an attachment to this report.</p> <p>According to FAA Gulfport Approach Control Radar, who was providing flight following to N911PL, they received a land line call from FAA New Orleans Approach Control Radar recommending that the flight not try to continue VFR. Gulfport Approach Control relayed the message to N911PL, recommended a left course reversal to avoid weather, and received an acknowledgement. There was no further communication with N911PL, and the radar returns showed the flight enter a right turn and commence a high rate of descent. The last known position of N911PL was the 216 degree radial/ 17NM from the Gulfport VOR, or coordinates, N30.10.1 by W089.16.2. A depiction of N911PL's radar plot is an attachment to this report. Using Mobile, Alabama's doppler weather surveillance radar, (WSR-88D), located 46 miles east of Gulfport, level 5 thunderstorms, (intense radar echoes) existed at N911PL's last known location at the time of the loss of communications.</p>				
<b>FACTUAL REPORT - AVIATION</b>				

	NTSB ID: MIA01LA089	
	Occurrence Date: 03/03/2001	
	Occurrence Type: Accident	

# **Narrative (Continued)**

FAA Gulfport Approach Control diverted an airborne Coast Guard helicopter to the area of last radar return of N911PL, and at 1509 the helicopter reported sighting a "sheen" on the water's surface, two wings floating, an undeployed life raft floating high on the water, aircraft seats, and what appeared to be a suitcase, and a soccer ball floating on the water's surface. There was no survivor observed.

## **PERSONNEL INFORMATION**

According to the pilot's wife, the pilot's personal logbook was probably in his flight bag on the front seat of the aircraft. It was not recovered. The pilot's business partner estimated the pilot's flight time to be about 500 to 600 hours, with about 30 hours in the PA-32 type aircraft. The partner stated that the pilot owned a Cessna 182. FAA Medical Records division stated his last airman's medical application, dated January 12, 2001, listed his total flight time as of that date as 850 hours, with 25 hours in the last 6 months.

The pilot was not instrument rated, but his wife supplied to the NTSB a copy of a certificate of completion from Aviation Seminars of El Cajon, California, of an instrument ground school dated January 23, 2000.

The pilot's most recent biennial flight review, (BFR) date was not recovered, however, a statement from an FAA Certified Flight Instructor revealed that the pilot had briefed and flown with the CFI, "early in 2001", that included all requirements for a BFR sign off. At that time the pilot stated to the CFI that he was current and did not need the logbook sign off.

## **AIRCRAFT INFORMATION**

The aircraft had undergone an annual inspection on July 1, 2000, at an aircraft total time of 1545 hours. Additionally, at that time the Lycoming TIO-540-S1AD engine and the Hartzell model no. HC-E2YK-1BF/FC8477A-4 propeller underwent an overhaul and was subsequently reinstalled on the aircraft. The aircraft and all components were signed off as airworthy on that date.


The aircraft was equipped with a cockpit displayed Storm scope. When the pilot was queried by FAA Gulfport Approach Control if he had weather radar aboard, he responded, "...yes sir I have a storm scope on board I have weather radar."


## **METEOROLOGICAL INFORMATION**

The Gulfport terminal weather at 1355 was, 500 feet overcast and 4 miles visibility in light rain. The temperature was 72 degrees F and the dew point was 70 degrees F. The altimeter was 29.55 inches Hg, and the winds were from 200 degrees at 5 knots. The METAR for 1355 in an attachment to this report, as well as The National Weather System's Center for Environmental Prediction, (NCEP) Surface Analysis chart for 1800Z on March 3, 2001, (attachment #1 of NTSB's Meteorology Factual Report).

## **WRECKAGE AND IMPACT INFORMATION**


A Coast Guard surface vessel was dispatched from the USCG station at Gulfport the day of the accident and retrieved the following: (1) an aircraft seat, minus its headrest, attached to a piece of aluminum floorboard. On the underside of the floorboard was attached the autopilot amplifier, (2) a second aircraft seat, also attached to a piece of floorboard. On the underside of that floorboard were four pulleys and pulley brackets, (3) a fiberglass empennage tip fairing, (4) various pieces of interior insulation and upholstery with outboard arm rests still attached, (5) cockpit center storage console, (6) a 3 ft. by 4 ft. section of carpeted cabin floorboard with seat attachment points, (7) three undeployed life vests, (8) an undeployed life raft, (9) a flight bag


 <p>National Transportation Safety Board</p> <p><b>FACTUAL REPORT</b></p> <p><b>AVIATION</b></p>	NTSB ID: MIA01LA089	
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<b>Narrative</b> (Continued)		
<p>with several sectional charts of the Caribbean and South America, (10) a survival kit, (11) an ear cup to a pilot's headset. Also retrieved were the pilot's personal suitcase and briefcase that the wife took personal custody of on the day following the accident, once contents were monitored and recorded by the Harrison [Mississippi] County Sheriff's Department.</p> <p>On March 9, 2001, the left wing was found floating by a commercial fishing boat about 25 miles southeast of the estimated impact point, and transferred to the Gulfport based U. S. Coast Guard. An FAA inspector examined and photographed the left wing, and subsequently took custody for the purpose of separating the fracture sites of the front and rear spars for failure analysis by the NTSB Materials Laboratory, Washington, DC.</p> <p><b>TESTS AND RESEARCH</b></p> <p>The aircraft's left wing front and rear spar fracture sites were examined by the NTSB Materials Laboratory for failure mode. Both fractures were very close to being directly in line with the fuselage. Examination revealed no evidence of preexisting damage, (such as fatigue cracking or corrosion) that would have contributed to the spar fractures. Both spar fractures exhibited evidence of overstress separation. In the case of the front spar, the upper portion of the spar exhibited bending overstress, while the lower portion exhibited primarily tensile overloading. The rear spar showed evidence of gross deformation and fracturing of the fuselage structure that interfaced the spar. That deformation was typical of wing overstress in the direction of the left wingtip rotating upward relative to an upright fuselage. It was not possible to detect when during the descent, the fractures occurred. On first sighting of the wreckage by the Coast Guard helicopter, the crew reported observing both separated wings in the vicinity of the other floating debris.</p> <p>The fixed base operator who fuelled N911PL prior to its departure provided the NTSB with fueling facility and fueling vehicle contamination check sheets. Sump test samples for solid and water contamination were made and annotated on the sheets as, "clear" and "bright". The fuelling receipt and the fuel contamination check sheet are an attachment to this report.</p> <p><b>ADDITIONAL INFORMATION</b></p> <p>The left wing pieces that were detached and sent to the NTSB laboratory for analysis were returned to a facility designated by a representative of the owner/operator on December 27, 2001. The NTSB form 6120.15, "Release of Wreckage" was signed and returned to the NTSB by the representative on January 4, 2002.</p>		
<p align="center"><b>FACTUAL REPORT - AVIATION</b></p> <p align="right">Page 1b</p>		

		NTSB ID: MIA01LA089			
		Occurrence Date: 03/03/2001			
		Occurrence Type: Accident			
<b>Landing Facility/Approach Information</b>					
Airport Name	Airport ID:	Airport Elevation Ft. MSL	Runway Used	Runway Length	Runway Width
Runway Surface Type: Unknown					
Runway Surface Condition: Unknown					
Type Instrument Approach: Unknown					
VFR Approach/Landing: Unknown					
<b>Aircraft Information</b>					
Aircraft Manufacturer Piper		Model/Series PA-32RT-300T		Serial Number 32R-7887251	
Airworthiness Certificate(s): Normal					
Landing Gear Type: Retractable - Tricycle					
Homebuilt Aircraft? No	Number of Seats: 6	Certified Max Gross Wt.	3600 LBS	Number of Engines: 1	
Engine Type: Reciprocating	Engine Manufacturer: Lycoming	Model/Series: TIO-540-S1AD	Rated Power: 300 HP		
<b>- Aircraft Inspection Information</b>					
Type of Last Inspection Annual	Date of Last Inspection 07/01/2000	Time Since Last Inspection Hours	Airframe Total Time 1642 Hours		
<b>- Emergency Locator Transmitter (ELT) Information</b>					
ELT Installed? Yes	ELT Operated? No	ELT Aided in Locating Accident Site? No			
<b>Owner/Operator Information</b>					
Registered Aircraft Owner  S and E Aviation, Inc.		Street Address P.O. Box 26982			
		City Tampa	State FL	Zip Code 33623	
Operator of Aircraft  Same as Reg'd Aircraft Owner		Street Address Same as Reg'd Aircraft Owner			
		City	State	Zip Code	
Operator Does Business As:			Operator Designator Code:		
<b>- Type of U.S. Certificate(s) Held: None</b>					
Air Carrier Operating Certificate(s):					
Operating Certificate:			Operator Certificate:		
Regulation Flight Conducted Under: Part 91: General Aviation					
Type of Flight Operation Conducted: Personal					
<div style="text-align: center;">FACTUAL REPORT - AVIATION</div> <div style="text-align: right;">Page 2</div>					



National Transportation Safety Board <b>FACTUAL REPORT</b> AVIATION		NTSB ID: MIA01LA089																																																																																		
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<b>First Pilot Information</b>																																																																																				
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On File		On File		On File	Age																																																																															
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Sex: M	Seat Occupied: Unknown		Principal Profession: Lawyer		Certificate Number: On File																																																																															
Certificate(s): Private																																																																																				
Airplane Rating(s): Single-engine Land																																																																																				
Rotorcraft/Glider/LTA: None																																																																																				
Instrument Rating(s): None																																																																																				
Instructor Rating(s): None																																																																																				
Type Rating/Endorsement for Accident/Incident Aircraft? No			Current Biennial Flight Review?																																																																																	
Medical Cert.: Class 3		Medical Cert. Status: Valid Medical--no waivers/lim.		Date of Last Medical Exam: 01/12/2001																																																																																
<table border="1"> <thead> <tr> <th rowspan="2">- Flight Time Matrix</th> <th rowspan="2">All A/C</th> <th rowspan="2">This Make and Model</th> <th rowspan="2">Airplane Single Engine</th> <th rowspan="2">Airplane Multi-Engine</th> <th rowspan="2">Night</th> <th colspan="2">Instrument</th> <th rowspan="2">Rotorcraft</th> <th rowspan="2">Glider</th> <th rowspan="2">Lighter Than Air</th> </tr> <tr> <th>Actual</th> <th>Simulated</th> </tr> </thead> <tbody> <tr> <td>Total Time</td> <td>850</td> <td>30</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Pilot In Command(PIC)</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Instructor</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Last 90 Days</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Last 30 Days</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Last 24 Hours</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>						- Flight Time Matrix	All A/C	This Make and Model	Airplane Single Engine	Airplane Multi-Engine	Night	Instrument		Rotorcraft	Glider	Lighter Than Air	Actual	Simulated	Total Time	850	30									Pilot In Command(PIC)											Instructor											Last 90 Days											Last 30 Days											Last 24 Hours										
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Method of Briefing: Telephone																																																																																				
FACTUAL REPORT - AVIATION <span style="float: right;">Page 3</span>																																																																																				

 <b>National Transportation Safety Board</b> <b>FACTUAL REPORT</b> <b>AVIATION</b>		NTSB ID: MIA01LA089			
		Occurrence Date: 03/03/2001			
		Occurrence Type: Accident			
<b>Weather Information</b>					
WOF ID	Observation Time	Time Zone	WOF Elevation	WOF Distance From Accident Site	Direction From Accident Site
KGPT	1434	CST	28 Ft. MSL	17 NM	36 Deg. Mag.
Sky/Lowest Cloud Condition: Clear				Ft. AGL	Condition of Light: Day
Lowest Ceiling: Broken			900 Ft. AGL	Visibility: 2 SM	Altimeter: 29.54 "Hg
Temperature: 21 °C		Dew Point: 20 °C	Wind Direction: 170		Density Altitude: Ft.
Wind Speed: 10		Gusts: 15	Weather Conditions at Accident Site: Instrument Conditions		
Visibility (RVR): Ft.		Visibility (RVV) SM	Intensity of Precipitation: Light		
Restrictions to Visibility: Haze					
Type of Precipitation: Rain Showers					
<b>Accident Information</b>					
Aircraft Damage:		Aircraft Fire:		Aircraft Explosion	
Classification:					
- Injury Summary Matrix	Fatal	Serious	Minor	None	TOTAL
First Pilot	1				1
Second Pilot					
Student Pilot					
Flight Instructor					
Check Pilot					
Flight Engineer					
Cabin Attendants					
Other Crew					
Passengers					
- TOTAL ABOARD -	1				1
Other Ground					
- GRAND TOTAL -	1				1
FACTUAL REPORT - AVIATION					

 <p>National Transportation Safety Board</p> <p><b>FACTUAL REPORT</b></p> <p><b>AVIATION</b></p>	NTSB ID: MIA01LA089	
	Occurrence Date: 03/03/2001	
	Occurrence Type: Accident	
<b>Administrative Information</b>		
<p>Investigator-In-Charge (IIC)</p> <p>Alan C. Stone</p>		
<p>Additional Persons Participating in This Accident/Incident Investigation:</p> <p>Edward Aycock  Aviation Safety Inspector  FAA FSDO  Jackson, MS 39208</p>		
<p>FACTUAL REPORT - AVIATION</p> <p>Page 5</p>		

**National Transportation Safety Board  
Washington, DC 20594**

**Brief of Accident**

**Adopted 02/20/2002**

MIA01LA089

File No. 11511

03/03/2001

Gulfport, MS

Aircraft Reg No. N911PL

Time (Local): 14:22 CST

Make/Model: Piper / PA-32RT-300T  
Engine Make/Model: Lycoming / TIO-540-S1AD  
Aircraft Damage: Destroyed  
Number of Engines: 1  
Operating Certificate(s): None  
Type of Flight Operation: Personal  
Reg. Flight Conducted Under: Part 91: General Aviation

Last Depart. Point: Tampa, FL  
Destination: Beaumont, TX  
Airport Proximity: Off Airport/Airstrip

Condition of Light: Day  
Weather Info Src: Weather Observation Facility  
Basic Weather: Instrument Conditions  
Lowest Ceiling: 900 Ft. AGL, Broken  
Visibility: 2.00 SM  
Wind Dir/Speed: 170 / 010 Kts  
Temperature (°C): 21  
Obstr to Vision: Haze  
Precipitation: Rain Showers

Pilot-in-Command

Age: 41

Certificate(s)/Rating(s)

Private; Single-engine Land

Instrument Ratings

None

Flight Time (Hours)

Total All Aircraft: 850

Last 90 Days: Unk/Nr

Total Make/Model: 30

Total Instrument Time: Unk/Nr

According to transcripts of the Saint Petersburg AFSS telephone brief of flight conditions given to a person represented as the pilot of N911PL for a VFR flight plan between Tampa, Florida and Beaumont, Texas, on March 3, 2001. Due to a stationary frontal system lying between northern Georgia and a point in the Gulf of Mexico west of New Orleans, severe thunderstorm watches were in effect, moderate turbulence, strong headwinds, surface and aloft hail to 1 inch possible, wind gusts to 60 knots possible with maximum tops of thunderstorms about 45,000 feet existed along his intended flight path. Numerous SIGMETS, AIRMETS, and weather watches were in effect prior to and during the actual flight. The destination forecast called for IFR ceilings until 2000 local time although the flight plan called for a destination arrival time of 1438. The flight departed Tampa at 1208 and was advised by FAA Gulfport Approach Control that FAA New Orleans Approach Control recommended the flight not continue VFR. Once the pilot accepted the recommendation, Gulfport suggested a heading, but the radar return was observed to take a different heading, start a high rate of descent, and communications ceased at 1422 local time. A Coast Guard helicopter sighted wreckage pieces at about the 216 degree radial/ 17 miles from the Gulfport VOR at about 1509. A Coast Guard vessel was dispatched to the scene and recovered aircraft seats, interior parts, personal luggage, and an undeployed life raft. Subsequently, the left wing was recovered and the wing/fuselage attachments underwent NTSB Materials Laboratory analysis. The fractures were indicative of overstress in the upward, (assuming upright aircraft orientation) direction. No other pieces of the wreckage nor the pilot was recovered to date.

Brief of Accident (Continued)

MIA01LA089

File No. 11511

03/03/2001

Gulfport, MS

Aircraft Reg No. N911PL

Time (Local): 14:22 CST

Occurrence #1: IN FLIGHT ENCOUNTER WITH WEATHER

Phase of Operation: MANEUVERING - TURN TO REVERSE DIRECTION

Findings

1. WEATHER CONDITION - TURBULENCE(THUNDERSTORMS)
2. (C) FLIGHT INTO KNOWN ADVERSE WEATHER - ATTEMPTED - PILOT IN COMMAND

Occurrence #2:

LOSS OF CONTROL - IN FLIGHT

Phase of Operation: MANEUVERING - TURN TO REVERSE DIRECTION

Findings

3. AIRCRAFT CONTROL - NOT MAINTAINED - PILOT IN COMMAND

Occurrence #3:

AIRFRAME/COMPONENT/SYSTEM FAILURE/MALFUNCTION

Phase of Operation: DESCENT - UNCONTROLLED

Findings

4. (C) DESIGN STRESS LIMITS OF AIRCRAFT - EXCEEDED - PILOT IN COMMAND
5. (C) WING - SEPARATION

Occurrence #4:

IN FLIGHT COLLISION WITH TERRAIN/WATER

Phase of Operation: DESCENT - UNCONTROLLED

Findings

6. TERRAIN CONDITION - WATER

Findings Legend: (C) = Cause, (F) = Factor

The National Transportation Safety Board determines the probable cause(s) of this accident as follows.  
the pilot's attempted flight into known adverse weather, resulting in an in flight loss of control, exceedance of design limits of the aircraft, and wing separation prior to collision with water.

# St. Petersburg Times



## Search ends for Tampa pilot missing in gulf; [NORTH PINELLAS Edition]

AMY HERDY. St. Petersburg Times. St. Petersburg, Fla.: Mar 6, 2001. pg. 3.B

### Abstract (Article Summary)

"All of a sudden he just fell off the screen," said Tom Snow of the Tampa firm Carlton Fields, where [Lawrence Keith Stephens] specialized in patent law.

Snow said Stephens had been looking forward to visiting his daughters from a previous marriage. A licensed pilot for at least eight years, Stephens lived in South Tampa with his wife, Elicia Ruilova. She traveled to Gulfport over the weekend for the search for her husband's body.

In Gulfport, Coast Guard Petty Officer Sean McMahon said the search for Stephen's plane began the moment it was reported missing by the Gulfport airport tower, about 2:40 p.m. Saturday.

### Full Text (448 words)

*Copyright Times Publishing Co. Mar 6, 2001*

The attorney's briefcase and wallet have been found, but authorities presume that he is dead.

The Coast Guard has ended its search for a Tampa attorney who is presumed dead after the small plane he was piloting crashed Saturday off the coast of Gulfport, Miss.

Lawrence Keith Stephens, 41, was flying to Beaumont, Texas, to visit his twin 10-year-old daughters for their birthday when his 1976 Piper Lance disappeared from the radar of the Gulfport airport.

"All of a sudden he just fell off the screen," said Tom Snow of the Tampa firm Carlton Fields, where Stephens specialized in patent law.

Although only his briefcase and wallet have been found, Snow said, Stephens is presumed dead since the depth of water where his plane hit was a mere 11 feet.

"I don't think, unfortunately, there's any doubt about that," he said.

A talented and energetic man, Snow said, Stephens possessed "enormous energy" and amazed his co-workers at both the Tampa firm and its office in San Jose, Calif. His sudden death, he said, is hard to believe.

"It just has everybody stunned," he said. "A lot of tears."

Snow said Stephens had been looking forward to visiting his daughters from a previous marriage. A licensed pilot for at least eight years, Stephens lived in South Tampa with his wife, Elicia Ruilova. She traveled to Gulfport over the weekend for the search for her husband's body.

In Gulfport, Coast Guard Petty Officer Sean McMahon said the search for Stephen's plane began the moment it was reported missing by the Gulfport airport tower, about 2:40 p.m. Saturday.

Heavy thunderstorms, high winds and an overcast sky in the area that day made visibility poor, McMahon said.

"He flew into some bad stuff," he said.

McMahon said Coast Guard ships and helicopters, aided by volunteer fishing boats, combed the area until the search was called off early Monday morning. It is not expected to resume, he said.

Snow said Stephens, who began working at Carlton Fields in mid summer, was a brilliant attorney who impressed clients with his patent strategies.

He began his career as a systems programmer for IBM, where he worked as an inventor while attending law school at night.

Stephens received his law degree from the University of Santa Clara School of Law in 1990 and was a member of the Bar in California and Texas.

He had just taken the Bar exam for Florida last Tuesday and Wednesday, Snow said.

"He was a genius; he had everything going for him," he said. "There's no other word for this than tragic."

- Times researcher John Martin contributed to this report.

**[Illustration]**

Caption: Lawrence Keith Stephens; Photo: BLACK AND WHITE PHOTO

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People: Stephens, Lawrence Keith, Snow, Tom, McMahon, Sean

Dateline: TAMPA

Text Word Count 448